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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/270,676	03/16/1999	TAKAHIRO ABE	566.370337XO	2808

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EXAMINER

HAROLD, JEFFEREY F

ART UNIT	PAPER NUMBER
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2644

DATE MAILED: 06/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/270,676

Applicant(s)

ABE ET AL.

Examiner

Jefferey F. Harold

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: .

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. ***Claims 1-4*** are rejected under 35 U.S.C. 102(b) as being anticipated by Harrington (United States Patent 5,546,454).

Regarding **claim 1**, Harrington discloses an automatic call distributor with telephonic call holding system. In addition, Harrington discloses a communication system comprising call distributor (20), which reads on claimed “exchange”, and internal telephonic units 32A-N, which read on claimed “plurality of telephones” accommodated in the exchange, as disclosed at column 3, lines 46-55 and exhibited in figure 1, wherein each of the telephones includes:

hold button (54) and line buttons (44A-C) to implicitly place a call on hold, which reads on claimed hold instruction accept means for accepting a hold instruction from an operator, as disclosed at column 5, line 55 through column 6, line 8 and exhibited in figure 2; and

transfer button (47) and line buttons (44A-C), which read on claimed “hold releasing instruction accept means”, for accepting a hold releasing instruction from the operator as disclosed at column 7, lines 6-34 and exhibited in figures 4A-C, 5-9;

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main memory (26) and central control unit (24), which read on claimed "hold control means and hold information registration means", for holding a communication partner and for registering in the central control unit (24) and memory (26) information of the communication partner (either external telephone unit or internal telephone unit) which is on hold in accordance with the hold instructions from the telephone operator, as disclosed at column 6, lines 26-52 and exhibited in figure 1;

hold release means (operator pressing either a line key 44A-C or the transfer key 47) for searching, information of a communication partner specified by the hold release instruction from the hold information registration area (main memory 26 and central control unit 20) and releasing the hold thereby connecting the communication partner to the telephone as disclosed at column 7, line 7 through column 11, line 42 and exhibited in figures 4A-C, 5-6.

Regarding **claim 2**, Harrington discloses everything claimed as applied above (see claim 1), in addition Harrington discloses a plurality of common line buttons (44A-C) and are provided as the hold instruction accept means and the hold release instruction accept means, and there are provided a plurality of display means (screen 38 and status indicator lights 46A-C) each of which is provided in association with each of the common line buttons, accepts a hold instruction and is turned on when the corresponding common hold button is pushed, and accepts a hold release instruction and is turned off when the corresponding common hold button is pushed during the turn-on state thereof, wherein the hold information registration means (memory 26 and central control unit 24) associates the information of connected telephone held in

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accordance with the hold instruction from the telephone with the common hold button accepting the hold instruction concerned to register the information in the hold information registration area, and

the hold release means (line button 44A-C) searches, in accordance with the hold release instructions from the telephone, the information corresponding to the common hold button accepting the hold release instruction from the hold information registration area, and releases the hold of the communication partner specified by the searched information, thereby connecting the communication partner to the telephone as disclosed at column 7, line 7 through column 11, line 42 and exhibited in figures 4A-C, 5-6.

Regarding **claims 3-4**, they are interpreted and thus rejected for the reasons set forth above in the rejection of claims 1-2.

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**Conclusion**

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jefferey F. Harold whose telephone number is (703) 306-5836. The examiner can normally be reached on Monday-Friday 7:30am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Forester W. Isen can be reached on (703) 305-4386. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



JFH  
May 26, 2003



FORESTER W. ISEN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600